

THURSDAY, MARCH 10, 1988

SIXTY-EIGHTH LEGISLATIVE DAY

The House met at 9:00 A.M. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Dr. Glenn Weekley, First Baptist Church, Hendersonville, Tennessee, guest of Representative Jack Long.

Representative Jack Long led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

The Speaker announced that Representative Jared was excused because of personal illness.

RULES SUSPENDED

Rep. Clark moved that the rules be suspended for the purpose of introducing Senate Joint Resolution 389 out of order, which motion prevailed.

***Senate Joint Resolution 0389** -- Memorials, Public Service -- Honors Jack Mayfield on having Community Appreciation Day designated in his honor.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Clark, the resolution was concurred in.

A motion to reconsider was tabled.

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REGULAR CALENDAR

House Bill No. 1725 -- Wine, Wineries -- Revises certain provisions relative to the production and sale of wine by wineries. Amends TCA 57-3-207.

Further consideration of House Bill No. 1725, previously considered on Thursday, March 3, 1988.

Rep. DePriest moved that House Bill No. 1725 be passed on third and final consideration.

Rep. Stallings moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1725 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-207(a), is amended by adding the following as a new paragraph:

A provisional winery license may be issued to a start up winery which has access to less than the required percentage of Tennessee agricultural products for the production of its wine, but no provisional license shall be issued to a start up winery unless it presents satisfactory evidence that it has access to Tennessee agricultural products which will produce an amount of wine equivalent to at least fifty percent (50%) of its current storage capacity. Having provided satisfactory evidence as indicated above, a start up winery will qualify for a waiver of the requirement in Section 57-3-207(e) to the extent that at least fifty percent (50%) of the agricultural products used in the production of its wine must be produced in Tennessee. Provided, further, that the issuance of such provisional licenses shall be limited to three (3) consecutive harvest years.

The alcoholic beverage commission shall promulgate rules, pursuant to Title 4, Chapter 5, governing the issuance of such provisional licenses.

SECTION 2. Tennessee Code Annotated, Section 57-3-207, is amended by deleting subsection (e) in its entirety and by substituting instead the following new subsection:

(e) At least seventy-five percent (75%) of the agricultural products used by a Tennessee licensed winery in the production of its wine must be produced in Tennessee. Such wines may be served free as complimentary samples for tasting at the winery and may be sold at retail at the winery but not for consumption on the bonded premises.

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Wines produced by a Tennessee winery holding a provisional license may also be served free as complimentary samples at the winery and may be sold at retail at the winery but not for consumption on the bonded premises.

The alcoholic beverage commission shall determine annually the sources of supply of agricultural products of each Tennessee licensed winery. Provided, however, that no winery may sell at retail on the premises more than twenty thousand (20,000) gallons or twenty percent (20%) of the wine it produces annually, whichever is greater. Customers may possess and transport such wine anywhere in the state in quantities in conformance with existing Tennessee law, but the wine must be accompanied at all times by a bill of sale sufficiently identifying the nature, quantity, purchaser, and date and place of purchase of wine. Sales to wholesalers are not so limited.

SECTION 3. Tennessee Code Annotated, Section 57-3-207, is amended by deleting subsection (j) in its entirety and by substituting instead the following:

(j) A waiver or partial waiver may be granted by the alcoholic beverage commission to a winery which applies therefor if the commissioner of agriculture finds, upon investigation, and so certifies to the alcoholic beverage commission, that the source or sources of Tennessee agricultural products anticipated by that winery for its current year needs, as shown in the statements and/or contracts filed on or before June 15, will not be available in whole or in part for some reason which the winery could not prevent nor reasonably protect against and over which it had no effective control.

The extent of the waiver shall be proportionate to the amount of the loss of such source, as shall be determined by the commissioner of agriculture. In order to qualify for consideration for a waiver, a winery must have filed with the alcoholic beverage commission signed contracts with growers and/or signed statements of anticipated crop from winery owned vineyards and/or signed contracts for the receipt of bulk wine from another Tennessee licensed winery by June 15 of that year.

In order to qualify as a component of the supply of Tennessee agricultural products intended for winery use, a non-winery producer of Tennessee agricultural products must have filed with the commissioner of agriculture a signed statement of anticipated crop by June 15 of that year. Such statement shall identify variety, anticipated amount of crop, and portion of anticipated crop which has not been contracted.

In clear cut cases of widespread crop failure or calamity, the commissioner of agriculture is empowered to declare an emergency on a statewide basis or on an areawide basis and upon certification thereof to the alcoholic beverage commission. The alcoholic beverage commission may grant a waiver or partial waiver to any winery or wineries affected by loss of agricultural products grown in the designated area or areas.

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Notwithstanding a winery's eligibility for a waiver or partial waiver on grounds set forth herein, such winery must utilize the supply of Tennessee products of any given variety it needs before being granted a waiver authorizing it to import out-of-state products of that variety. Provided, however, that the quality and price of the Tennessee product are reasonable, as determined by the commissioner of agriculture.

If a Tennessee winery has fully and in good faith complied with the provisions of this subsection but still is unable to find or grow sufficient Tennessee agricultural products to produce an amount of wine equivalent to eighty percent (80%) of its storage capacity for the current year then, Notwithstanding other provisions of this chapter, a waiver may be granted to such winery by the alcoholic beverage commission if the commissioner of agriculture finds that such shortage of Tennessee agricultural products in fact exists. The applying winery must present substantial and convincing evidence to the commissioner of agriculture in support of its application including the basis for its estimated gallonage needs for the current year. Provided, the amount of agricultural products allowed to be imported from outside the state shall be limited to an amount no greater than the shortage. Provided further, no winery shall be eligible for a waiver under this subsection unless it has fully complied with all other provisions of this subsection. Provided further, that this waiver will only apply to varieties of agricultural products which are produced in commercial quantities in Tennessee.

The commissioner of agriculture is empowered and authorized to promulgate such rules and regulations as may be necessary to carry out his duties as provided in this section.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. DePriest moved to amend Amendment No. 1 as follows:

Amendment No. 1 to Amendment No. 1

Amend Amendment No. 1 to House Bill No. 1725 by deleting Section 1 and Section 2 of the amendment in their entirety and substituting instead the following new section:

Section 1. Tennessee Code Annotated, Section 57-3-207, is amended by deleting subsection (e) in its entirety and by inserting in lieu thereof the following:

(e)(1) If a winery uses agricultural products produced in Tennessee in the production of its wine, which total at least seventy-five percent (75%) of the total usage of agricultural products in its wine production, then its wine may be served without charge as complimentary samples for tasting at the winery and may be sold at retail in sealed containers at the winery, but not for consumption on the bonded premises.

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(2) If a winery which has been newly licensed uses agricultural products produced in Tennessee in the production of its wine, which total at least fifty percent (50%) of the total usage of agricultural products in its wine production, then for three (3) consecutive years after issuance of the original license its wine may be served without charge as complimentary samples for tasting at the winery and may be sold at retail in sealed containers at the winery, but not for consumption on the bonded premises. Thereafter, the provisions of subsection (e)(1) shall apply.

(3) Notwithstanding the provisions of subsections (e)(1) and (e)(2) above, no winery may sell at retail on the premises more than twenty thousand (20,000) gallons or twenty percent (20%) of the wine it produces annually, whichever is greater. Customers may possess and transport such wine anywhere in the state in quantities not in excess of that allowed by other state law, but such wine must be accompanied by a bill of sale sufficiently identifying the nature, quantity, purchaser, date and place of purchase of wine. Sales to wholesalers are not so limited.

(4) Notwithstanding the limitations of subsections (e)(1) and (e)(2) above, the alcoholic beverage commission may issue a temporary waiver as provided in subsection (j) below, to a licensed winery authorizing the winery to sell and serve its product notwithstanding the origin of the agricultural products for which its wine is produced.

AND FURTHER AMEND in Section 3 of the amendment by deleting the first sentence of the amendatory language of such section and substituting instead the following:

(j) A waiver or partial waiver may be granted by the alcoholic beverage commission, in an open meeting, to a winery which applies for such, if the commissioner of agriculture certifies that the source or sources of Tennessee agricultural products anticipated by the requesting winery for its current needs, as shown in the statements and/or contracts filed on or before June 15 of that year with the alcoholic beverage commission, will not be available in whole or in part for some reason which the winery could not reasonably prevent or protect against and over which it had no effective control.

AND FURTHER AMEND in Section 3 of this amendment by deleting the fourth paragraph of the amendatory language of such section and substituting instead the following new paragraph:

In cases of widespread crop failure, as certified by the commissioner of agriculture, the alcoholic beverage commission may declare, on an area-wide or state-wide basis, that an emergency exists and may issue a general or partial temporary waiver to any winery or wineries materially affected by loss of agricultural products grown in the affected area.

AND FURTHER AMEND in Section 3 of the amendment by deleting the phrase "commissioner of agriculture" where it appears in the second sentence of the sixth paragraph of the amendatory language in such section and inserting in lieu thereof "alcoholic beverage commission".

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AND FURTHER AMEND in Section 3 of the amendment by inserting the following sentence after the first sentence of the sixth paragraph of the amendatory language of such section:

Such waiver may also be granted to a Tennessee winery, if it is unable to find or grow sufficient Tennessee agricultural products to produce an amount of wine equivalent to fifty percent (50%) of its storage capacity for the current year, if such winery has been newly licensed within three (3) years of the application.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

On motion, Amendment No. 1, as amended, was adopted.

Rep. Stallings moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1725 by adding the following as a new section to immediately precede the effective date section and by renumbering the effective date section accordingly:

Section _____. Tennessee Code Annotated, Section 57-3-207(g), is amended by deleting item (1) in its entirety and by substituting instead the following:

(1) Juices or concentrates derived therefrom, or any Tennessee agricultural products;

On motion, the amendment was adopted.

Thereupon, Rep. DePriest moved that House Bill No. 1725, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	88
Noes.	1
Present and not voting.	6

* Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Holt, Hurley, Huskey, Ivy, Jackson, Kent, Kernell, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton and Mr. Speaker Murray -- 88.

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Representative voting no was: Moody -- 1.

Representatives present and not voting were: Copeland, Hobbs, Holcomb, Nance, Turner, C. (Shelby) and Wolfe -- 6.

A motion to reconsider was tabled.

House Bill No. 1569 -- Correctional Programs -- Removes limitation on state funding of private community correction programs. Amends TCA 40-36-301.

On motion, House Bill No. 1569 was made to conform with Senate Bill No. 1436.

On motion, **Senate Bill No. 1436**, on same subject, was substituted for House Bill No. 1569.

Rep. Naifeh moved passage of Senate Bill No. 1436 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 1768 -- Insurance, Health, Accident -- Establishes supplemental medical insurance for retired state employees; establishes insurance information office for senior citizens. Amends TCA, Title 8, Ch. 27, Pt. 2; Title 56, Ch. 1; Pt. 2.

Rep. Naifeh moved passage of House Bill No. 1768 on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill 1768 by adding the following as subsection (c) of amendatory language of Section 1:

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(c) If on January 1, 1988 a local education agency as defined in Section 49-3-302 made supplemental medical insurance benefits available to its retirees who are covered by medicare benefits and the benefits of such plan are equal or superior to the plan offered to retirees pursuant to subsection (a) of this section, the local education agency shall be eligible to receive directly the payments provided for in subsection (b) of this section. Participation in an insurance trust, county-wide plan, self-insurance or similar benefit plan shall not disqualify the local education agency from these payments. The determination on the equivalency or superiority of the local benefits shall be made by an outside, independent firm or consultant. A written report shall be supplied to the local education agency in the event that local plan is determined not to be equal or superior. In order to be reviewed for eligibility, a local education agency must make its application to the local education insurance committee within sixty (60) days of the effective date of this act. Local education agencies not making a timely application or having medical benefits that are not equal or superior to the plan offered pursuant to subsection (a) shall not be eligible for direct payments. Any payment made by the state pursuant to this section shall first be used to reduce or eliminate any contribution required of retirees participating in such local plan and shall not result in a reduction of financial support of such plan by the local education agency.

On motion, Amendment No. 1 was adopted, with Rep. Copeland recorded as voting no.

Thereupon, Rep. Naifeh moved that House Bill No. 1768 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	1
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odorn, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

Representative voting no was: Copeland -- 1.

Representative present and not voting was: McAfee -- 1.

A motion to reconsider was tabled.

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House Bill No. 2254 -- Traffic Safety -- Restricts display of certain bumper stickers. Amends TCA, Title 39, Ch. 6, Pt. 11; Title 55.

Rep. Davis (Gibson) moved that House Bill No. 2254 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2254 in the amendatory language of Section 1 by deleting the words "to suspension or revocation of the vehicle's registration by the commissioner" and by substituting instead the following:

, upon conviction, to a fine of not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00).

On motion, the amendment was adopted.

Thereupon, Rep. Davis (Gibson) moved that House Bill No. 2254, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	4
Present and not voting.	2

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 89.

Representatives voting no were: Burnett, Gaia, Purcell and Turner, L. (Shelby) -- 4.

Representatives present and not voting were: Clark and DeBerry -- 2.

***House Bill No. 2215 -- Handicapped Persons -- Authorizes discount for disabled residents to camp in state parks. Amends TCA, Title 11, Ch. 3.**

Rep. Yelton moved that House Bill No. 2215 be passed on third and final consideration.

Rep. Wix moved to amend as follows:

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Amendment No. 1

by deleting Section 1 in its entirety and by substituting instead the following:

Tennessee Code Annotated, Section 11-3-116(a) is amended by adding the following at the end thereof:

Bona fide residents of Tennessee who are one hundred percent (100%) disabled may also obtain a fifty percent (50%) discount on camping fees charged at all parks within the Tennessee state park system upon showing satisfactory proof of such disability.

Satisfactory proof of disability shall include a letter or certificate or other document from the Social Security Administration or the Veterans' Administration attesting to the fact of one hundred percent (100%) disability, or certification of such fact by a physician licensed to practice medicine in Tennessee.

On motion, the amendment was adopted.

Thereupon, Rep. Yelton moved that House Bill No. 2215, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. 96
Noes. 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

*House Bill No. 1482 -- Equalization Board -- Authorizes nonlawyer participation before State Board of Equalization under certain circumstances.

Rep. Williams moved that House Bill No. 1482 be passed on third and final consideration, which motion prevailed by the following vote:

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1482 by deleting from subsection (b) of the amendatory language of SECTION 1 the words "or pursuant to part 14" and by substituting therefor the words "or with respect to the filing of appeals pursuant to T.C.A. Section 67-5-1412."

AND FURTHER AMEND by deleting the fourth (4th) and fifth (5th) "WHEREAS" clauses.

AND FURTHER AMEND by deleting subsections (c) and (d) of the amendatory language of SECTION 1, and by substituting therefor the following:

(c) The following persons shall be permitted to act, appear, and participate as an agent for the taxpayer:

(1) attorneys;

(2) with respect to a corporation or other artificial entity, its regular officers, directors, or employees; and

(3) where the primary issue of any complaint, protest, or appeal pertains to those grounds as provided in T.C.A. Section 67-5-1407, any person who presents to the state board of equalization a statement of qualifications that he or she has four (4) years of experience in real property appraisal and/or assessment valuation, and that he or she either has successfully completed not less than one hundred twenty (120) classroom hours of academic instruction in subjects related to property appraisal or assessment of property from a college or university or from a nationally recognized appraisal or assessment organization approved by the state board of equalization or, in lieu of such educational requirements, has successfully passed the examination for Tennessee Certified Assessor as administered by the state board of equalization. The state board of equalization may, in its discretion, recognize certain professional designations from appraisal and/or assessment organizations which require qualifications at least equal to those set forth herein, in which event persons possessing any such designation shall be registered without submission of experience and educational requirements. A corporation engaged in the business of evaluation of property may be registered if its principal officer is registered, but only employees of such corporation who are registered shall be permitted to act as agents for taxpayers.

(d) Where the primary issue of any complaint, protest, or appeal pertains to those grounds as provided in T.C.A. Section 67-5-1407, then all conferences or hearings shall be conducted in an informal manner.

AND FURTHER AMEND by adding the following new subsection (f) to the amendatory language of SECTION 1:

(f) All agents shall register with the state board of equalization, which may reprimand, revoke, or suspend from practice or place on probation or otherwise discipline any agent for any of the acts set forth below:

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(1) Procuring or attempting to procure registration pursuant to this act by knowingly making a false statement, submitting false information, or through any form of fraud.

(2) Failing to meet the minimum qualifications established by this act.

(3) Paying money or other valuable consideration, other than as provided for by this act, to any member or employee of the state board of equalization to procure registration under this act.

(4) Any act or omission involving dishonesty or fraud that could substantially benefit the registrant or another person or with the intent to substantially injure another person.

The state board of equalization may adopt additional standards of conduct, if any, regarding all agents when appearing at any conference or hearing pursuant to this act.

Rep. Miller moved to amend Amendment No. 1 as follows:

Amendment No. 1 to Amendment No. 1

Amend Amendment No. 1 to House Bill No. 1482 by deleting from subsection (f) of the amendatory language of SECTION 1 the words "All agents" and by substituting therefor the words "All persons authorized to appear before the state board of equalization pursuant to the provisions of SECTION 1(c)(3).

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Miller moved to adopt Amendment No. 1, as amended, which motion prevailed.

Rep. Williams moved to amend as follows:

Amendment No. 2

Amend House Bill No. 1482 by inserting in the amendatory language of subsection (f) of SECTION 1 following the words and punctuation "shall register with the state board of equalization," the words and punctuation "and shall pay an annual fee for such registration as may be established by the board,".

On motion, the amendment was adopted.

Rep. Williams moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1482 by adding the following new subsection (g) to the amendatory language of SECTION 1:

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(g) Any written solicitation of business, by letter, advertisement, or otherwise, by any person other than an attorney, who qualifies as an agent under this act shall contain, in type large enough to be easily readable, a disclaimer substantially as follows: "Taxpayer agents who are not lawyers may only appear on your behalf before the state board of equalization on matters of classification, assessment, and/or valuation, and may not represent you in a court of law".

On motion, the amendment was adopted.

Thereupon, Rep. Williams moved that House Bill No. 1482, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensisley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

***House Bill No. 1608 -- Workers' Compensation --** Allows injured employee to select physician. Amends TCA, Title 50, Ch. 6.

On motion of Rep. West, House Bill No. 1608 was reset to the calendar for April 7, 1988.

***House Bill No. 2198 -- Revenue, Dept. of --** Authorizes commissioner to issue revenue and letter rulings. Amends TCA 4-5-106; Title 67, Ch. 1, Pt. 1.

On motion, House Bill No. 2198 was made to conform with Senate Bill No. 2361.

On motion, **Senate Bill No. 2361**, on same subject, was substituted for House Bill No. 2198.

Rep. Kisber moved passage of Senate Bill No. 2361 on third and final consideration, which motion prevailed by the following vote:

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Ayes. 98
Noes. 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

Mr. Speaker Murray relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

***House Bill No. 1977 -- Hazardous Materials -- Revises Tennessee Hazardous Waste Management Act. Amends TCA, Title 68, Ch. 46, Pts. 1, 2.**

On motion, House Bill No. 1977 was made to conform with Senate Bill No. 2197.

On motion, **Senate Bill No. 2197**, on same subject, was substituted for House Bill No. 1977.

Rep. Hillis moved passage of Senate Bill No. 2197 on third and final consideration, which motion prevailed by the following vote:

Ayes. 97
Noes. 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

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***House Bill No. 0417 -- Environmental Preservation -- Adds certain forest areas to the Tennessee Natural Areas Preservation Act. Amends TCA, Title 11, Ch. 14.**

On motion, House Bill No. 417 was made to conform with Senate Bill No. 954.

On motion, **Senate Bill No. 954**, on same subject, was substituted for House Bill No. 417.

Rep. Kernell moved passage of Senate Bill No. 954 on third and final consideration.

Rep. Kernell moved to amend as follows:

Amendment No. 1

Amend House Bill No. 417 by deleting the words and figures "subsection (b) (2)" in the directory language of Section 1 and by substituting instead the words and figures "subsection (b) (1)".

AND FURTHER AMEND by adding the following language at the end of the amendatory language of Section 1:

Shelby Farms Forest Natural Area is shown on the United States Geological Survey Quadrangle maps (photorevised 1983): Northeast Memphis, Tennessee; Ellendale, Tennessee; and Germantown, Tennessee. The boundary coordinates are given below in the 1000-meter Universal Transverse Mercator grid ticks (UTM) noted on these maps.

The 1,000 acre natural area includes two forests:

(1) a 600-acre bottomland hardwood/baldcypress-tupelo swamp forest north of Walnut Grove Road and,

(2) a 413-acre mature bottomland hardwood/baldcypress forest south of Walnut Grove Road. The 600-acre forest is shown on the Northeast Memphis, Tennessee and Ellendale, Tennessee quads.

The 600-acre forest is shown on the Northeast Memphis, Tennessee and the Ellendale, Tennessee quads. The northern boundary of this forest is formed by interstate highway 240 at 2UTM coordinates $^{238^{\circ}00'}$, $^{3894^{\circ}00'}$. The eastern border of this forest is bounded by a line drawn from UTM coordinates $^{238^{\circ}00'}$, $^{3894^{\circ}15'}$ (i.e. approximate intersection of TVA right-of-way and I-40) to UTM coordinates $^{240^{\circ}00'}$, $^{3891^{\circ}75'}$. The southern boundary of the forest is formed by the right-of-way for Walnut Grove Road (present and future). The western boundary of the forest is the Wolf River. The 413-acre forest is shown on the Ellendale, Tennessee and Germantown, Tennessee quads. The northern boundary of this forest is formed by a line drawn through UTM coordinates $^{240^{\circ}00'}$, $^{3890^{\circ}00'}$ to UTM coordinates $^{243^{\circ}00'}$, $^{3890^{\circ}00'}$. The eastern border of this forest is formed by UTM coordinate $^{243^{\circ}00'}$, $^{3890^{\circ}00'}$. The southern and partial western boundary of this forest is formed by the Wolf River. The westernmost boundary of this forest is shown at UTM coordinate $^{240^{\circ}00'}$, $^{3890^{\circ}00'}$.

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The following corridor is specifically excluded from Shelby Farms Forest Natural Area, to wit:

The area as shown on the Ellendale, Tennessee and Germantown, Tennessee quadrangle maps on which the northern boundary is formed by the right-of-way of Walnut Grove Road (present and future); the west and south boundary is formed

by the Wolf River and the eastern boundary is formed by a line drawn through UTM coordinates $^{2}40^{000}$, $^{38}90^{400}$ to $^{2}41^{200}$, $^{38}91^{500}$.

This natural area will be cooperatively managed by Shelby County and the Tennessee Department of Conservation.

On motion, the amendment was adopted.

Thereupon, Rep. Kernell moved that Senate Bill No. 954, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1387 -- County Government -- Authorizes certain counties to invest in bankers acceptances commercial paper and certain public issued bonds. Amends TCA 5-8-301.

On motion, House Bill No. 1387 was made to conform with Senate Bill No. 1385.

On motion, **Senate Bill No. 1385**, on same subject, was substituted for House Bill No. 1387.

Rep. Byrd moved to reset Senate Bill No. 1385 to the calendar for Thursday, March 17, 1988, which motion prevailed.

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House Bill No. 1845 -- Highways, Roads and Bridges -- Changes definition of "highway" and "street" for purposes of motor vehicle rules of the road. Amends TCA 55-8-101.

On motion, House Bill No. 1845 was made to conform with Senate Bill No. 1605.

On motion, **Senate Bill No. 1605**, on same subject, was substituted for House Bill No. 1845.

Rep. Davis (Knox) moved passage of Senate Bill No. 1605 on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1846 -- Civil Procedure -- Allows defendant to request a civil case in general sessions court be removed to circuit court prior to judgment. Amends TCA, Title 19, Ch. 1, Pt. 1.

On motion, House Bill No. 1846 was made to conform with Senate Bill No. 1724.

On motion, **Senate Bill No. 1724**, on same subject, was substituted for House Bill No. 1846.

Rep. Davis (Knox) moved to reset Senate Bill No. 1724 to the calendar for Thursday, March 17, 1988, which motion prevailed.

House Bill No. 1844 -- Bail, Bail Bonds -- Changes definition of "bail jumping". Amends TCA 39-5-720.

On motion, House Bill No. 1844 was made to conform with Senate Bill No. 2070.

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On motion, **Senate Bill No. 2070**, on same subject, was substituted for House Bill No. 1844.

Rep. Davis (Knox) moved passage of Senate Bill No. 2070 on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

Representative present and not voting was: Long -- 1.

A motion to reconsider was tabled.

House Bill No. 2298 -- Handicapped Persons -- Establishes incentives to be developed by the Interagency Coordinating Council.

Rep. Turner (Hamilton) moved that House Bill No. 2298 be passed on third and final consideration.

Rep. Starnes moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2298 by deleting Section 1 in its entirety and by substituting instead the following language:

SECTION 1. To the extent that federal funds are not jeopardized and in accordance with responsibilities required to be performed by the interagency coordinating council created pursuant to 20 U.S.C. 1482, the council shall advise and assist the lead agency appointed pursuant to 20 U.S.C. 1476 in developing incentives which will encourage programs serving young children with handicaps to provide or improve services to families of pre-school children with handicaps. The development of the incentives may include but not be limited to:

(1) Identifying and publicizing model programs with parent involvement components or model practices for services to parents;

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(2) Assuring that training opportunities are provided to educate program staff in current best practices for serving families;

(3) Identifying and coordinating all available resources within the state from federal, state, local and private sources for existing programs and for future programs to hire staff to provide training and support services to parents.

On motion, the amendment was adopted.

Thereupon, Rep. Turner (Hamilton) moved that House Bill No. 2298, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 2432; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2424 -- Bond Issues -- Cancels certain amount of authorized but unissued bonds. Amends various public acts.

On motion, House Bill No. 2424 was made to conform with Senate Bill No. 2432.

On motion, Senate Bill No. 2432, on same subject, was substituted for House Bill No. 2424.

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Rep. Bragg moved passage of Senate Bill No. 2432 on third and final consideration, which motion prevailed by the following vote:

Ayes.....	98
Noes.....	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

House Bill No. 1741 -- Comptroller, State -- Grants division of property assessments authority to enter land to obtain information for assessment. Amends TCA, Title 67, Chs. 1, 5.

Rep. Bragg moved that House Bill No. 1741 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1741 by adding the following sentence at the end of the amendatory language of Section 1:

If the landowner refuses or objects to entry upon his land, the division of property assessments may petition the circuit or chancery court for an order allowing entry at a specified time for purposes of appraising the land and improvements for assessment purposes.

AND FURTHER AMEND by adding the following sentence at the end of the amendatory language of Section 2:

If the landowner refuses or objects to entry upon his land, the assessor may petition the circuit or chancery court for an order allowing entry at a specified time for purposes of appraising the land and improvements for assessment purposes.

On motion, the amendment was adopted.

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Thereupon, Rep. Bragg moved that House Bill No. 1741, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 1690 -- Sunset Laws -- Extends termination date of Sentencing Commission. Amends TCA, Title 4, Ch. 29, Pt. 2. Repeals TCA --7-198514.

***House Bill No. 2126** -- Aged Persons -- Removes upper age limit for age discrimination law in certain circumstances. Amends TCA 4-21-101 -- 4-21-407.

House Bill No. 2059 -- Correctional Programs -- Allows department to establish special alternative incarceration sites for work release prisoners. Amends TCA, Title 41, Ch. 21, Pt. 5.

House Bill No. 1722 -- State Employees -- Changes date for retiring wildlife officers to receive longevity pay. Amends TCA 8-23-206.

On motion, House Bill No. 1722 was made to conform with Senate Bill No. 1626.

On motion, **Senate Bill No. 1626**, on same subject, was substituted for House Bill No. 1722.

House Bill No. 2330 -- State Employees -- Authorizes payroll deduction for certain association dues for legislative and judicial employees. Amends TCA 8-23-204.

***House Bill No. 2200** -- Taxes, Sales -- Exempts shoppers' advertisers regardless of type of paper which are free to public. Amends TCA 67-6-329.

On motion, House Bill No. 2200 was made to conform with Senate Bill No. 2359.

On motion, **Senate Bill No. 2359**, on same subject was substituted for House Bill No. 2200.

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House Bill No. 1597 -- Liens -- Changes priority of liens for surface mine reclamation. Amends TCA, Title 59, Ch. 8.

On motion, House Bill No. 1597 was made to conform with Senate Bill No. 1395.

On motion, **Senate Bill No. 1395**, on same subject, was substituted for House Bill No. 1597.

***House Joint Resolution 0444** -- Naming and Designating -- Designates a portion of Highway 269 the "W. W. (Billy) Bingham, Sr. Highway" and directs the Department of Transportation to erect signs.

House Resolution No. 0099 -- Memorials, Personal Achievement -- Honors Nikki Clark for outstanding artwork.

House Resolution No. 0100 -- Memorials, Professional Achievement -- Honors Karen M. Patterson for exceptional work as art teacher.

House Resolution No. 0102 -- Memorials, Personal Achievement -- Honors Tiffany Crane for outstanding artwork.

House Joint Resolution 0579 -- Memorials, Public Service -- Commends Jim Clayton on contributions to Knoxville community.

House Joint Resolution 0580 -- Memorials, Retirement -- Honors J. M. Stabler, Jr. on retirement.

House Joint Resolution 0582 -- Memorials, Condolence -- Honors memory of Roy Davis Smith of Fentress County.

House Bill No. 2463 -- Hamblen County -- Changes term and compensation for road commissioners. Amends Chapter 33, Private Acts of 1949, as amended.

On motion, House Bill No. 2463 was made to conform with Senate Bill No. 2480.

On motion, **Senate Bill No. 2480**, on same subject, was substituted for House Bill No. 2463.

Senate Joint Resolution 0375 -- Memorials, Condolence -- Honors memory of Sidney W. Genette, Jr.

***Senate Joint Resolution 0376** -- Memorials, Condolence -- Honors memory of Herbert Anderton of Memphis.

Senate Joint Resolution 0377 -- Memorials, Public Service -- Honors Mary Hart Kimball Massie Todd for political activism.

Senate Joint Resolution 0379 -- Memorials, Congratulations -- Honors Parks Belk Department Store on 59th anniversary and Belk organization on 100th anniversary.

Senate Joint Resolution 0382 -- Memorials, Sports -- Honors Lou Fitzgerald on selection as member of Tennessee Sports Hall of Fame.

Senate Joint Resolution 0388 -- Memorials, Professional Achievement -- Honors Reverend Thomas L. Murray for service as minister for Christian Church.

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OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

Rep. Chiles objected to House Bills Nos. 2059 and 2330.

Rep. Phillips objected to House Joint Resolution No. 444.

Under the rules, House Bills Nos. 2059 and 2330; and House Joint Resolution No. 444 were placed at the foot of the Calendar for Monday, March 14, 1988.

Rep. Phillips moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Bushing moved that the rules be suspended for the purpose of introducing Senate Joint Resolution 352 out of order, which motion prevailed.

Senate Joint Resolution No. 352 -- Memorials, Government Officials -- Designates "Legislative Fitness Day". by *Ford.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Bushing, the resolution was concurred in.

A motion to reconsider was tabled.

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NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to **Rule No. 59**, the sponsor gave notice of intent to consider the following measure from the Senate on Monday, March 14, 1988;

House Joint Resolution No. 272: Rep. West.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 417: Rep. Hassell changed from secondary to prime sponsor.

House Bill No. 1768: Rep. Peroulas added as a prime sponsor.

House Bill No. 2254: Rep. Peroulas added as a prime sponsor.

House Bill No. 2351: Rep. Davis (Cocke) added as a prime sponsor.

House Bill No. 2352: Rep. Davis (Cocke) added as a prime sponsor.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution 0585 -- Memorials, Public Service -- Honors Jane Conner for contributions to Girl Scouts USA. by *Shirley.

The Speaker referred House Joint Resolution No. 0585 to the Calendar and Rules Committee.

House Joint Resolution 0586 -- Memorials, Personal Achievement -- Congratulates Carole Conner on receipt of Girl Scout Gold Award. by *Shirley.

The Speaker referred House Joint Resolution No. 0586 to the Calendar and Rules Committee.

House Joint Resolution 0587 -- Naming and Designating-- Designates Sunday, May 1, 1988 as "Ramp Festival Day". by Davis R E.

The Speaker referred House Joint Resolution No. 0587 to the Calendar and Rules Committee.

House Joint Resolution 0588 -- Memorials, Personal Achievement -- Honors Minnesota Fats on career in billiards. by *Hillis, *Naifeh, *Tanner.

The Speaker referred House Joint Resolution No. 0588 to the Calendar and Rules Committee.

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House Joint Resolution 0590 -- Memorials, Congratulations -- Honors Mr. and Mrs. James H. Kirby, Jr. on occasion of their wedding. by *Burnett.

The Speaker referred House Joint Resolution No. 0590 to the Calendar and Rules Committee.

House Joint Resolution 0591 -- Memorials, Retirement -- Honors Judge James England on his retirement from 24th Judicial Circuit. by *Ivy.

The Speaker referred House Joint Resolution No. 0591 to the Calendar and Rules Committee.

House Joint Resolution 0592 -- Memorials, Sports -- Honors Ray Bussard on induction into Tennessee Sports Hall of Fame. by *Severance.

The Speaker referred House Joint Resolution No. 0592 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 2469 -- Maryville -- Abolishes board of utilities; transfers powers and obligations of board to City of Maryville. Amends Chapter 27, Private Acts of 1967, as amended. Repeals Chapter 176, Private Acts of 1955, as amended. by *Swann.

Passed first consideration.

House Bill No. 2470 -- Taxes, Hotel Motel -- Revises certain provision of Blount County's hotel-motel and campground tax. Amends Chapter 102 of the Private Acts of 1979, as amended. by *Swann, *Huskey.

Passed first consideration.

House Bill No. 2471 -- Blount County -- Changes basis for requirement for application for certificates of appropriateness when there is expansion, alteration or renovation of structures, facilities or land use. Amends Chapter 180, Private Acts of 1986. by *Swann, *Huskey.

Passed first consideration.

House Bill No. 2472 -- Lookout Mountain -- Authorizes Lookout Mountain to impose a privilege tax upon certain fares for rides upon the Incline Railway. by *McAfee.

Passed first consideration.

House Bill No. 2473 -- Oak Ridge -- Revises boundaries and changes bond interest rate for Oak Ridge Utility District. Amends Chapter 503, Private Acts of 1951, as amended. by *Coffey.

Passed first consideration.

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SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 1470** -- Administrative Procedure Rules and Regulations -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1412.

***Senate Bill No. 1664** -- Day Care -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1575.

***Senate Bill No. 1825** -- Criminal Procedure -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1886.

***Senate Bill No. 1869** -- Custody and Support -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2402.

***Senate Bill No. 2066** -- Insurance, Motor Vehicles -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1884.

Senate Bill No. 2206 -- Taxes, Excise -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 1986.

Senate Bill No. 2427 -- Unemployment Compensation -- Held on the Clerk's desk pending third consideration of the Companion House Bill No. 2419.

SENATE BILLS ON SECOND CONSIDERATION

Senate Bill No. 1481 -- Pikeville -- Passed second consideration and held on the Clerk's desk.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2467 -- Germantown -- Passed second consideration and held on the Clerk's desk.

House Bill No. 2468 -- Fentress County -- Passed second consideration and held on the Clerk's desk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1501, 1555, 1589, 1851, 1957, 1959, 2242, 2311, 2442 and 2455; and House Joint Resolutions Nos. 540, 543, 546, 548, 552 and 574; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, MARCH 10, 1988 -- SIXTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2460; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 491, 553, 554, 556, 557, 558, 559 and 560; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1509, 1617, 1621, 1869, 1958, 1962, 1963 and 2386; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1863 and 2285; substituted for Senate Bills on same subjects and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1509, 1617, 1621, 1863, 1869, 1958, 1962, 1963, 2285 and 2386; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, MARCH 10, 1988 -- SIXTY-EIGHTH LEGISLATIVE DAY

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1690, 2126, 2215 and 2254; and House Joint Resolutions Nos. 579, 580, 582; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 2409; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1482, 1725, 1741, 1768 and 2298; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 2460; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 2460.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 2460; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MARCH 10, 1988 -- SIXTY-EIGHTH LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 2460, for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 99, 100 and 102; and House Joint Resolutions Nos. 491, 553, 554, 556, 557, 558, 559 and 560; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 352 and 389; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 334 and 383; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution 0334** -- General Assembly, Studies -- Continues business tax study committee.

Senate Joint Resolution 0383 -- Memorials, Personal Achievement -- Honors Felix Hunter family, 1987 Family of the Year.

THURSDAY, MARCH 10, 1988 -- SIXTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1706, 1819, 1828, 1882, 1974, 2078, 2085, 2190, 2208, 2219 and 2433; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 1706** -- Correctional Programs -- Authorizes volunteers involved in programs of the department of correction to use state vehicles in certain circumstances. Amends TCA 41-10-104.

***Senate Bill No. 1819** -- Jails and Jailers -- Applies sentence reduction credits to inmates in county jails. Amends TCA, Title 41.

***Senate Bill No. 1828** -- Pensions and Retirement Benefits -- Allows for members of certain school boards to become members of TCRS. Amends TCA, Title 8, Ch. 35, Pt. 2.

***Senate Bill No. 1882** -- Aircraft and Airports -- Enacts the TLDA Airport Authority Loan Act of 1988. Amends TCA, Title 4, Ch. 31.

***Senate Bill No. 1974** -- Election Laws -- Delays date by which all voting precincts must be accessible to elderly and handicapped voters. Amends TCA, Title 2, Chs. 2, 3, 6.

***Senate Bill No. 2078** -- Accountants -- Revises time in which accountants must obtain required continuing education. Amends TCA, Title 62, Ch. 1.

***Senate Bill No. 2085** -- Election Laws -- Requires county election commission to monthly report changes on voter registration rolls to county clerks. Amends TCA 2-2-126.

Senate Bill No. 2190 -- Banks and Financial Institutions -- Changes requirements for applications for money order issuers. Amends TCA 45-7-106.

Senate Bill No. 2208 -- Taxes -- Extends personal liability to persons who collect taxes from consumers and fail to pay. Amends TCA, Title 67, Ch. 1, Pt. 14.

Senate Bill No. 2219 -- Interstate Compacts -- Enacts "Interstate Earthquake Compact of 1988".

Senate Bill No. 2433 -- Health -- Restricts disclosure of information by department about sexually transmitted diseases. Amends TCA, Title 68, Ch. 10.

SIGNED

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 352 and 389.

THURSDAY, MARCH 10, 1988 -- SIXTY-EIGHTH LEGISLATIVE DAY

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 2460 and House Joint Resolution No. 573, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1509, 1617, 1621, 1863, 1869, 1958, 1962, 1963, 2285, 2386 and 2409; House Resolutions Nos. 99, 100 and 102; and House Joint Resolutions Nos. 491, 553, 554, 556, 557, 558, 559 and 560.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 48, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2467 and 2468.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following additional bills and/or resolutions on the Consent Calendar for Monday, March 14, 1988: House Joint Resolutions Nos. 585, 586, 588, 590, 591, 592; and House Bills Nos. 2467 and 2468.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following additional bills and/or resolutions on the Consent Calendar for Wednesday, March 16, 1988: House Bills Nos. 1459, 1996 and 1985.

PHILLIPS, Chairman.

THURSDAY, MARCH 10, 1988 -- SIXTY-EIGHTH LEGISLATIVE DAY

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following additional bills and/or resolutions on the calendar for Wednesday, March 16, 1988: House Bills Nos. 1983, 1825, 1511, 1613, 1483, 1654, 1551, 1552, 1391, 1907, 1909, 1910, 1911, 2214 and 2422.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills and/or resolutions on the calendar for Monday, March 21, 1988: House Bill No. 2279.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Hawkins, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray -- 98.

On motion of Rep. Naifeh, the House adjourned until 5:00 P.M. Monday, March 14, 1988.